

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

LEAH SCOTT, et al.,)
)
Plaintiffs,)
)
v.) No. 4:12-CV-320-JAR
)
FOREST LABORATORIES, INC., and)
FOREST PHARMACEUTICALS, INC.,)
)
Defendants.)

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiffs' Motion to Remand Pursuant to 28 U.S.C. § 1447(c) [ECF No. 14]. The motion is unopposed and will be granted.

Plaintiffs filed this products liability action against Forest Laboratories, a New York corporation, and Forest Pharmaceuticals, a Missouri corporation, in the St. Louis City Circuit Court, 22nd Judicial Circuit, Case No. 1222-CC00857, on February 16, 2012. Defendant Forest Laboratories removed the action to this Court 5 days later, on February 21, 2012, on the basis of diversity jurisdiction.¹ On March 21, 2012, Plaintiffs filed their Motion to Remand. Defendant Forest Laboratories, Inc. has withdrawn its opposition to Plaintiff's Motion [ECF No. 23].

28 U.S.C. § 1441(b) limits removal of actions based on diversity of citizenship when a defendant is a citizen of the forum state.

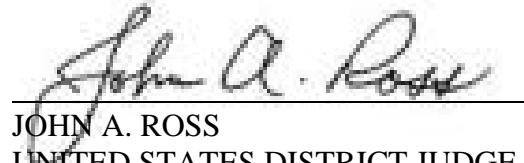
Accordingly,

IT IS HEREBY ORDERED the Plaintiffs' Motion to Remand [ECF No. 14] is

¹As of the date of removal, the resident defendant, Forest Pharmaceuticals, had not been served with the complaint or a summons.

GRANTED, and this case is remanded to the Circuit Court of the City of St. Louis, State of Missouri. An appropriate Order of Remand will accompany this Order.

Dated this 8th day of May, 2012.


JOHN A. ROSS
UNITED STATES DISTRICT JUDGE